

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

ORIGINAL

TRACEY WHITE, et al.,)

Plaintiffs,)

vs.)

THOMAS JACKSON, et al.,)

Defendants.)

Cause No. 14-cv-01490-HEA

DEPOSITION OF KAI BOWERS

Taken on behalf of the Defendants
BELMAR and ST. LOUIS COUNTY

February 5, 2016

Reported by: Christine A. LePage, CCR #1000

LePAGE REPORTING SERVICE
1465 Wilkesboro Drive
Dardenne Prairie, Missouri 63368
(314) 616-2113

EXHIBIT

County

Exhibit T

1 A No, ma'am.

2 Q The incident that we're here to talk about
3 happened on August 12th or August 13, it was like -- you
4 know, kind of started on, I guess, on the 12th and it
5 went -- covered midnight and it went into the 13th of
6 2014; is that correct?

7 A Yes, ma'am.

8 Q Best of your memory? So I wanted to know if you
9 had had any prior, meaning before that date, encounters
10 with police officers from any jurisdictions.

11 MR. GREENE: I'll object to form. What time
12 frame?

13 MS. GUNN: Any time before August 12th.

14 MR. GREENE: His whole life? Since the age of
15 18?

16 MS. GUNN: Correct.

17 MR. GREENE: Which one? Whole life or since the
18 age of 18?

19 MS. GUNN: His whole life.

20 Q (by Ms. Gunn) Before August 12th, had you ever
21 had any encounters with police officers?

22 A Yes.

23 Q So tell me about the first one.

24 A My first encounter with the police was probably
25 when I was 17, probably because -- so that would be --

1 main reasons for why we were out there is because my
2 cousin, Kerry, he's a photographer, and he was out there
3 taking pictures and doing a lot of recording and stuff
4 like that.

5 So when it first happened and the QuikTrip got
6 burned down and all that stuff, he started coming out
7 there and taking his pictures, it was a lot of people out
8 there protesting, so around the time where all the
9 protesting and all that stuff was going on, that's around
10 the time I started coming out there, because I was going
11 out there with him.

12 Q (by Ms. Gunn) With Kerry?

13 A Yes.

14 Q Did you go out there with anybody else besides
15 Kerry?

16 A No.

17 Q And Kerry took a lot of pictures on that day?

18 A Yes.

19 Q Were there a lot of different media, like
20 newspaper or TV?

21 A Yes, it was a lot of different newspaper, TV,
22 and all of that out there.

23 Q So there were a lot of people out there
24 taking --

25 A Yes, there was a lot of different cameramen out

1 there taking pictures and stuff like that.

2 Q And they were from all different kinds of
3 organizations taking pictures?

4 A Yes.

5 Q And there were a lot of individuals taking
6 pictures, too; is that right?

7 A Yes.

8 Q So did you have any problems with the police
9 when you were there on the day after the QuikTrip burned?

10 A No.

11 Q Did you have any personal encounters with the
12 police on that day?

13 A No.

14 Q Did you -- Were you protesting yourself?

15 A Yes.

16 Q Okay. How did you protest, or what did you do
17 to protest?

18 A It was people out there and they was walking
19 around passing little signs and stuff out for people to
20 hold, so I was holding a sign and doing stuff like that,
21 that's about it.

22 Q What did the sign say?

23 A The signs just said, "Hands Up, Don't Shoot,"
24 and stuff like that, different slogans that people had
25 came up with it.

1 A Yes.

2 Q How far did you live from that area?

3 A I stay probably about ten minutes from Ferguson.

4 Q And was Kerry White the only person who was with
5 you that day?

6 A No, my brother was with me.

7 Q And how long was your brother with you?

8 A The whole time.

9 Q Oh, okay. I was kind of confused, because I
10 thought before you said that you were only with Kerry, but
11 you were also with your brother?

12 A Yes.

13 Q Your brother Sandy?

14 A Yes.

15 Q Do you have any other brothers?

16 A Yes.

17 Q Who are your other brothers?

18 A I got another brother named Byron.

19 Q Well, then when was the next time that you
20 returned to the Ferguson area?

21 A It would have had to been the next day.

22 Q And that would have been the 12th, you think?

23 A Yes, probably so.

24 Q You think the 12th. So what time did you get to
25 Ferguson on the 12th?

1 A Around the same -- we probably got out there a
2 little later on the 12th probably.

3 Q Like about what time?

4 A Probably like around 5 or 6.

5 Q Was it still light out?

6 A Yes, it was still light out.

7 Q And so where did you -- And who were you with
8 when you went back there on the 12th?

9 A My cousin Kerry and my brother.

10 Q So what did you do on the 12th?

11 A The same routine, take pictures and stuff like
12 that.

13 Q And where did you go?

14 A On West Florissant, like -- we actually like --
15 when we go to West Florissant we'll be -- we'll just walk
16 around like where all the protesting is going on, take
17 pictures and stuff like that.

18 Q Did you personally take any pictures?

19 A No.

20 Q Did you have a camera?

21 A No.

22 Q Did you have a cell phone?

23 A Yes.

24 Q Did you take any pictures with your cell phone?

25 A No.

1 Q So how long did you stay at the West Florissant
2 and in the Ferguson area on the 12th?

3 A I can't recall like exactly like how long I
4 stayed out there.

5 Q Did you stay until it got dark?

6 A Yes.

7 Q And then did you do any protesting on the
8 12th yourself?

9 A Yes, every time I went out there I would join in
10 on the protesting, whether it's just telling people to
11 blow they horn or holding a sign or anything.

12 Q And did you have any problems until it got dark?
13 Well, let me strike that. Did you have any problems with
14 your protesting on the 12th?

15 A No.

16 Q Okay. So you said -- Did you leave the West
17 Florissant or Ferguson area on the 12th?

18 A Is the 12th the night I got arrested?

19 Q Yes.

20 A All right. Well, that particular night, it was
21 like when the cars was leaving, like people weren't
22 actually done protesting, because like certain -- like
23 certain times they had just -- I don't know if they get
24 tired of being out there or whatever before they'll just
25 start tear-gassing, everybody it's time to leave, nobody

1 he did the deposition, I was locked up and I was talking
2 to him on the phone while I was locked up, and he was
3 telling me that he went and did the deposition, and I was
4 asking him like what type of stuff they asked you, and
5 he's like, oh, they asked me just like basically what was
6 going on and stuff like that.

7 Q Anything else you remember him telling you?

8 A No, he actually didn't tell me, then he just was
9 telling me basically what was asked.

10 Q Have you talked to him since then about his
11 deposition?

12 A No.

13 Q How about Kerry, did you talk to him about his
14 deposition?

15 A No.

16 Q All right. So if I understand correctly, that
17 you basically went to the West Florissant area on the
18 12th and were there, you know, from like late afternoon, I
19 assume; is that right?

20 A Yes.

21 Q Until you got arrested?

22 A Yes.

23 Q And you didn't leave the area at all?

24 A Besides going to get something to eat, didn't
25 leave the area.

1 Q So did Kerry drive you to the area?

2 A Yes.

3 Q What kind of car did he have?

4 A An Impala.

5 Q And what color was the Impala?

6 A White.

7 Q And you don't know the year of the car?

8 A No.

9 Q Were you -- Where did he park his car when you
10 were out walking around?

11 A He parked his car at I think on the Red's
12 Barbecue lot.

13 Q On Red's Barbecue?

14 A Yes.

15 Q And where had you parked the car the day before?

16 A The same, around the same area.

17 Q So you're out there. Do you remember what time
18 you went to go get something to eat?

19 A No, I don't remember the exact time, it was too
20 far away.

21 Q Do you remember doing anything other than
22 walking around and getting something to eat on that day?

23 A No. No.

24 Q And do you remember about, did I ask you this
25 already, what time you went to get something to eat? I'm

1 don't want you to guess about anything, I mean, you know,
2 there's certain things that you can give your best
3 estimate about, but I just -- I want you to tell me what
4 you recall specifically and not to guess about, you know,
5 whether something happened, okay?

6 A Okay.

7 Q So do you remember specifically any tear gas
8 before you went to --

9 A Yes.

10 Q -- to the Rally's?

11 A Yes.

12 Q You do. Do you remember any protester -- Strike
13 that. Do you remember anybody throwing rocks?

14 A No.

15 Q Did you ever see anybody throw rocks at the
16 police?

17 A No.

18 Q Did you ever see anybody throw anything at the
19 police?

20 A No.

21 Q Did you ever hear any gunshots?

22 A No.

23 Q And how big a crowd was there on the 12th before
24 you left to go to --

25 A It was a big crowd, I couldn't possibly estimate

1 that?

2 A Like to where the police were throwing tear gas
3 and arresting people and stuff like that, because you see
4 on the news every night these many protesters got arrested
5 and all type of stuff.

6 Q Okay. So then at about 10 o'clock you left and
7 you went to Rally's; is that right?

8 A Yes.

9 Q In Kerry's car?

10 A Yes.

11 Q And where was the Rally's?

12 A On Chambers.

13 Q And so tell me the route that you took to get to
14 the Rally's.

15 A The actually route, I don't know the exact route
16 that we took to get to the Rally's because it was so much
17 stuff blocked off and stuff like that, you would have had
18 to go around stuff to get to places you needed to go, so I
19 don't know exactly what route we took.

20 Q What street was the Rally's on?

21 A The Rally's was on Chambers and Halls Ferry.

22 Q Chambers and Halls Ferry?

23 A Yes.

24 Q Did you go inside the Rally's?

25 A No, you can't go inside Rally's.

1 Q You ordered like drive-through?

2 A Yes.

3 Q Do you remember what you ordered?

4 A No.

5 Q Do you remember what you were wearing that
6 night?

7 A No.

8 Q Do you know what your brother was wearing?

9 A No.

10 Q How about Kerry, do you remember what he was
11 wearing?

12 A No.

13 Q Okay. So when you got into Kerry's car, where
14 were you sitting?

15 A In the front seat.

16 Q And how about your brother?

17 A In the back.

18 Q Where in the back?

19 A I think he would have had to been sitting behind
20 Kerry on the driver's side.

21 Q And Kerry was driving; is that correct?

22 A Yes.

23 Q Okay. So you get in the Rally's, and then what?

24 A Got our food and we left, we ate and we left.

25 Q And where did you go?

1 A We went back to take pictures on West
2 Florissant.

3 Q And why did you go back to take pictures?

4 A Because Kerry, he's like -- that's what he do,
5 he take pictures, he always looking for that perfect shot.

6 Q So tell me the route that you took from the
7 Rally's.

8 A We went -- We went up Chambers, and while we was
9 going up Chambers you saw like that everybody that was
10 from West Florissant was coming up towards Chambers and
11 stuff like that, so we end up riding like down Chambers
12 and taking pictures and stuff.

13 Q Okay. And so your intent in going back to that
14 area was for Kerry to take more pictures; is that right?

15 A Yes.

16 Q And did you have any thought about how long you
17 were going to stay?

18 A No.

19 Q And, I mean, what was the plan exactly?

20 A It wasn't actually a plan.

21 Q I mean, had you thought about what you were
22 going to do?

23 A No.

24 Q Okay. So you drive, I guess it would have been
25 west on Chambers, correct?

1 Q When you were on West Florissant.

2 A When I was on West Florissant, I'll probably say
3 it was probably like three or four out there.

4 Q So between the time that you went to the
5 Rally's, and from the time that you were at the Rally's up
6 to the point in time that you got arrested, you didn't see
7 any other military vehicles; is that correct?

8 A No.

9 Q Is that correct?

10 A Yes.

11 Q Okay. Did you hear any announcements over the
12 loud speaker when you were on Chambers?

13 A Yes, telling people to disperse, that it was
14 time for people to leave West Florissant.

15 Q And you heard that while you were by the liquor
16 store; is that right?

17 A No, I heard -- When you asked me did I hear the
18 speaker, I heard that when I was on West Florissant.

19 Q Before you went to the Rally's?

20 A Yes.

21 Q How about when you were on Chambers by the
22 liquor store, did you hear any announcements on the loud
23 speaker?

24 A No, I didn't hear anything.

25 Q How much time passed between when you heard the

1 announcement it's time to disperse and when you actually
2 went to the Rally's?

3 A It would have had to been quick, because after
4 they got on the announcement and telling people it was
5 time to disperse, like some people didn't disperse right
6 away, so they instantly start tear-gassing and stuff like
7 that, so we instantly left.

8 Q So you left when they started tear-gassing is
9 what you're saying?

10 A Yes.

11 Q And that's when you went to the Rally's?

12 MR. GREENE: Object to form, that's not what he
13 said. He said when they started to disperse we
14 immediately left because they started tear-gassing and
15 that's why they left. We can read it back. So I think --

16 MS. GUNN: Okay, you're testifying. The record
17 will speak for itself about what his testimony is.

18 MR. GREENE: Well, then don't rephrase it,
19 because every time he says something you rephrase it. So
20 if I'm testifying when I rephrase it, are you testifying
21 when you rephrase it?

22 MS. GUNN: I'm trying to -- I'm asking the
23 question and I'm trying to understand what the testimony
24 is.

25 MR. GREENE: And after he answers the questions

1 liquor store? Why did you move from there?

2 A Whatever street I was on is the same street I
3 got arrested on.

4 Q Okay. Well, we're --

5 A Because the street I got arrested on is the
6 street I'm talking about by the liquor store, because when
7 I got arrested they took us off the street to the top of
8 the street and had us sit on the liquor store lot.

9 Q Oh, okay. So let me -- I'm just trying to
10 understand what you're saying. So what you're saying is
11 that you're driving down Chambers, you get to the street
12 by the liquor store; is that right?

13 A Uh-huh.

14 Q And then you stop, right?

15 A Yes.

16 Q And then the liquor store is on the corner of
17 the street that you got arrested on?

18 A Yes.

19 Q Okay. So what caused you to go down the street
20 that you got arrested on?

21 A We was going down the street because we were
22 riding around taking pictures, and we were taking pictures
23 of people leaving, because people were still protesting
24 while they walking towards wherever they was going, like
25 where they was going towards their houses and stuff like

1 A Military vehicles.

2 Q So you're saying that a military vehicle was on
3 that street by the liquor store --

4 A Yes.

5 Q -- as you were going straight?

6 A Yes.

7 Q Were you -- Was the military vehicle on the
8 street before or after you turned onto that street?

9 A The military vehicle came onto that street. I
10 didn't actually see when it came on, all I know is we was
11 driving down that street and we couldn't drive no further
12 because the military vehicle came and blocked that street
13 off, and we tried to turn around and leave and go out the
14 way we came in, and one came and blocked the next way off
15 to where we couldn't go nowhere.

16 Q Did you see any people on that street that you
17 got arrested on?

18 A Yes, it was a few people walking down the street
19 or whatever, but when that happened, they took off
20 running.

21 Q So how many people were walking down that
22 street?

23 A I don't remember.

24 Q Did you see any police officers on the street --
25 on West Chambers [sic] before you turned onto the street

1 A No, I don't remember.

2 Q Did you see any of those people turn onto the
3 street that you were on?

4 A Yes, there was people on the street that I was
5 on.

6 Q And can you give any estimate?

7 A I don't remember.

8 Q More or less than 20?

9 A It probably was like around 20, 20, 30 people,
10 something like that.

11 Q Twenty to 30 people. How far down the street,
12 down that street that you got arrested on, was that
13 military vehicle when you first saw it?

14 A It was like -- See, we was driving down the
15 street, and it's like a cross street that come by, and it
16 just came and blocked it off, and when it did, it
17 instantly shot some smoke, and we hurried up and tried to
18 turn around and go towards the other way and another
19 vehicle pulled up and did the same exact thing, so we had
20 to pull over.

21 Q Okay. We have sort of an aerial map of this,
22 it's been marked as Exhibit H in another deposition, I'm
23 just going to show it to you, see if this helps a little
24 bit maybe, and I'll just point out some landmarks to you
25 and you can tell me if this looks familiar. So here's a

1 where you couldn't go down any farther, so you had to make
2 a U-turn to try to get back out of the street, and it was
3 another one came and blocked off the street down towards
4 this way, (indicating).

5 Q So you're saying a military vehicle was about --
6 on the side street right here, it's called Kappel; do you
7 see that?

8 A Yes, it would have been like right about here,
9 (indicating).

10 Q So when you first saw the military vehicle, it
11 was on the corner of Lorna and Kappel?

12 A Yes.

13 Q Does that sound right to you?

14 A Yes.

15 Q And how far down Lorna were you when you first
16 saw the military vehicle?

17 A I would have had to been like close like
18 somewhere down like towards here, (indicating,) because
19 like we were actually like -- when we was driving down the
20 street, it actually like it came and was in front of us
21 and shot us with smoke gas, then we turned around and
22 tried to go the other way towards the other street but we
23 couldn't.

24 Q So you would have been a house or two away from
25 Kappel is what you're saying?

1 Q He was -- I'm sorry?

2 A He wasn't driving out of control or anything.

3 Q Okay. So he turns around, and, I'm sorry, did
4 you tell me whether you knew whether he had his headlights
5 on or not?

6 A I told you I didn't remember.

7 Q Okay. I'm sorry, I'm not trying to get you to
8 repeat it, I just forgot what you said. All right. So
9 you don't remember. And then he turns around, and then
10 what happened?

11 A Once he turned around, another military vehicle
12 pulled up and shot gas out and they start walking towards
13 the vehicle. So we pulled over, he was hanging out the
14 window, showing them his camera, saying that he don't have
15 any weapons, he just taking pictures and stuff like that.

16 And I was sitting in the passenger seat, and the
17 police came from both directions, from behind us and in
18 front of us with their weapons drawn and telling us to get
19 out the car. So I tried to unlock my door to get out the
20 car, but when I reached to unlock my door, he -- "Put your
21 hands in the air," like telling me to put my hands up and
22 stuff like that.

23 Q Okay. Let me stop you here, we'll get to that
24 in a minute.

25 A Okay.

1 Q Did you smell anything coming from the second --

2 A Yeah, smoke.

3 Q Did it smell like anything else other than
4 smoke?

5 A I can't recall. I just remember smelling smoke
6 and seeing smoke.

7 Q And you had mentioned earlier that you saw maybe
8 20 to 30 people in your best estimate that were on foot
9 coming down that street; is that right?

10 A Yes.

11 Q That were not police officers, right?

12 A No.

13 Q Were those people in between the military
14 vehicle and your car?

15 A Around the time when the smoke and stuff got
16 shot off, I don't know what happened to them people. Them
17 people, like they all scattered different ways and stuff
18 and started running to their houses and stuff.

19 Q Did you see those people actually turn from
20 Chambers onto that street?

21 A No.

22 Q Do you know where they came from?

23 A No.

24 Q And do you know how they got on that street?

25 A I guess like some of the people were walking

1 a heavy assault rifle?

2 A Yes.

3 Q And you said six to eight?

4 A Yes.

5 Q Is that right?

6 A Yes.

7 Q Okay. So tell me what happened next.

8 A Well, after that, they came to the car with
9 their weapons drawn and stuff like that, they told us get
10 out the car and stuff like that, but as we was trying to
11 reach, like I was reaching trying to unlock my door, he
12 stopped me in the middle of that, told me to put my hands
13 back up, he'll start shooting and stuff like that, so
14 after that, then I end up unlocking the door, they grabbed
15 me out the car, put me down to the ground, put his knee
16 in --

17 Q Let me stop you again, all right, we'll get back
18 through there. Do you remember anybody shouting, "Stop,
19 stop," or, you know, some kind of command from the police
20 to stop the car?

21 A No.

22 Q Did you hear any of the police officers say
23 anything to you before any of them actually came up to the
24 car?

25 A No.

1 A Yes.

2 Q Above you?

3 A Yes.

4 Q And do you know whether the helicopter shined a
5 spotlight on you?

6 A Like after I got pulled out the car, I wouldn't
7 have been able to see it because my face was in the
8 ground, so I wouldn't been able to see if the helicopter
9 was shining a light towards my direction.

10 Q So you don't know one way or another?

11 A No.

12 Q So who came over to your side?

13 A The police.

14 Q And how many?

15 A I don't remember.

16 Q Do you remember what they looked like?

17 A No.

18 Q Do you know what their races were?

19 A It was like -- it wasn't just like one race of
20 police officer, it was African-American, Caucasian, stuff
21 like that.

22 Q Any other races?

23 A I didn't see any other races.

24 Q Were you able to tell that there was at least
25 one African-American and there was at least one Caucasian

1 there?

2 A Yes.

3 Q I mean, you were able to tell the races of the
4 police officers; is that right?

5 A Yes.

6 Q Okay. So who came to you first, was it a
7 Caucasian officer?

8 A Caucasian officer.

9 Q Do you know what color hair he had?

10 A No.

11 Q So what did he do?

12 A He had his weapon drawn and telling me to put my
13 hands up and stuff like that.

14 Q And then what happened?

15 A Once the door got unlocked, they snatched the
16 door open and dragged me out of the car, put me on the
17 ground, put his knee in the back of my head and held me
18 down with force.

19 Q What was the race of that officer?

20 A White officer, Caucasian.

21 Q Did he hurt you?

22 A I didn't have to go to the hospital -- I didn't
23 actually go to the hospital, but I felt like I was hurt.

24 Q What do you mean you felt like you were hurt?

25 A Because like my back and stuff like that hurt

1 and the back of my neck from having a person that weigh a
2 lot with his knee in the back of my neck and shoulder
3 area.

4 Q Do you know how much that officer weighed?

5 A No.

6 Q Do you know how tall he was?

7 A No.

8 Q Was it just one officer that was holding you
9 down?

10 A No, it was several, it was several officers over
11 there had their weapons still pointed at me and stuff like
12 that.

13 Q Was there just one officer that was holding you
14 down?

15 A Yes.

16 Q And that was the officer who pulled you out of
17 the car?

18 A Yes.

19 Q So how did you end up on the ground, how did
20 that happen?

21 A When I got snatched out of the car, I was
22 instantly taken to the ground by force, and that's when he
23 put his knee on the back of my neck.

24 Q And you said that what hurt you was having his
25 knee on you; is that right?

1 A Yes.

2 Q It wasn't him taking you to the ground that
3 hurt, it was him holding you down?

4 A It was him actually sitting, like basically
5 putting all of his weight on the back of my neck and
6 shoulder area.

7 Q Do you know what kind of handcuffs were used?

8 A Zip ties.

9 Q How do you know that?

10 A Because I remember.

11 Q Did you have any conversation with that officer?

12 A No.

13 Q He didn't say anything to you?

14 A No, it was basically -- he didn't actually say
15 anything to me, he just was holding me down with his knee
16 in the back of my neck and my face in the ground.

17 Q And how long did he hold you down?

18 A I would say probably for at least three to four
19 minutes anyway.

20 Q Did you see what happened to Kerry?

21 A No.

22 Q How about to your brother?

23 A No, because I was on the whole other side of the
24 vehicle, I couldn't see what was going on over there.

25 Q So Kerry was on the side of the car that --

1 A Like besides hearing them, you know what I'm
2 saying, yelling and stuff like that, saying what they were
3 saying, I didn't actually hear the officers, what the
4 officers were saying to them.

5 Q So you're saying officers were yelling or your
6 brother and Kerry?

7 A My brother and Kerry were like yelling like stop
8 and stuff like that, telling them like, you know what I'm
9 saying, we ain't doing nothing, we just out here taking
10 pictures and stuff like that.

11 Q So what did you hear Kerry yell?

12 A I just heard Kerry yelling like, you know what
13 I'm saying, he ain't doing nothing but just taking
14 pictures and stuff like that, because they was trying to
15 take his camera, and he thought that they was going to
16 break his camera and stuff like that, so he was like, oh,
17 man, don't break my camera, you know what I'm saying, just
18 put my stuff in my car, you know what I'm saying, we ain't
19 got no warrants, y'all can run our name and all that
20 stuff, that's all I was saying.

21 Q Is there anything else that you heard Kerry say?

22 A No.

23 Q Is there anything that you heard your brother
24 say?

25 A No. I just heard my brother yelling about them

1 I don't know like what actually -- like if it broke
2 anything or anything like that, I don't know.

3 Q You saw an officer drop the camera?

4 A Yes.

5 Q What officer was that?

6 A I don't -- I don't know none of these officers
7 name.

8 Q Was he white or black?

9 A Caucasian officer.

10 Q And how did he drop it?

11 A I don't know exactly how he dropped it, it's
12 just like the camera fell somehow, and then that's when
13 Kerry was like, "Oh, man, you trying to break my camera,"
14 and then they picked it up, and that's when they started
15 walking -- because they really like -- they walked us to
16 the end of the street, they all put us down, they came
17 back, they end up driving Kerry car, taking it somewhere
18 and all that.

19 Q So you saw an officer pick the camera up?

20 A Yes.

21 Q Did you see what the officer did with the
22 camera?

23 A He put the camera back in the vehicle and he
24 drove off in the vehicle.

25 Q Did you see an officer actually break Sandy's

1 Q -- as you were arrested?

2 A No.

3 Q Do you know whether any officers used profanity?

4 A I don't remember.

5 Q Did you use any profanity?

6 A No.

7 Q How about Sandy?

8 A I don't remember.

9 Q How about Kerry?

10 A I don't remember.

11 Q You don't know?

12 A No, I don't think any of them used profanity.

13 Q So you said you were on the ground three to four
14 minutes; is that what you said?

15 A Yes.

16 Q Is that right?

17 A Yes.

18 Q And then what happened?

19 A And then they zip-tied us all and they walked us
20 down, set us all on the curve right here by the -- at this
21 thing right next door to the liquor store, we was all
22 sitting on like this lot, (indicating).

23 Q Did anybody say to you, "Didn't you hear" -- or
24 something to this effect, "Didn't you hear us tell you to
25 stop the car?"

1 A No.

2 Q So you said the paddy wagon came along?

3 A Yes.

4 Q And what happened next?

5 A We were transported to St. Louis County.

6 Q Who transported you?

7 A The transporter that was driving the vehicle.

8 Q How many police officers were -- or law

9 enforcement officers were in the paddy wagon?

10 A When you ride in a paddy wagon, there's only one
11 officer that transports you.

12 Q Were you asked any questions, like, you know,
13 for your ID or for pedigree information or anything?

14 A No, they didn't ask me none of that type of
15 stuff.

16 Q Did you have any ID on you at the time?

17 A Whether I had an ID or not, I don't know.

18 Q So you were taken to Clayton jail; is that
19 right?

20 A Yes.

21 Q And what happened when you got to the jail?

22 A Once I got to Clayton, that's when I was asked
23 for my information and stuff like that and I was booked
24 and released.

25 Q How long did it take for you to be processed at

1 CONTINUED CROSS-EXAMINATION

2 QUESTIONS BY MR. PLUNKERT:

3 Q It's taking too slow, so I'll just do it with
4 words. You said it's near -- Ray's Barbecue is near the
5 McDonald's, correct?

6 A Yes.

7 Q Okay. And was the car parked in that parking
8 lot?

9 A Yes.

10 Q Okay. And you were able to get into your car
11 and leave, correct?

12 A Yes.

13 Q Did you try to videotape?

14 A I don't remember.

15 Q Do you remember, Kerry had his video, his
16 camcorder with him?

17 A Yes, because that was our main reason from
18 coming out to West Florissant to get footage and stuff
19 like that, so he had his camera with him.

20 Q Okay. And he took footage, right?

21 A Yes.

22 Q Okay. And did he take photos?

23 A Yes, he took photos.

24 Q Okay. Have you provided those videos or those
25 photos to your attorneys?